

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

TALLY ROWAN

Plaintiff,

v.

NATALIE STOCKWELL,

Defendant.

ORDER

09-cv-588-slc

TALLY ROWAN

Plaintiff,

v.

MIKE KNOLL, NANCY HOVE,
NATALIE STOCKWELL and
BRAD LAWRENCE,

Defendants.

ORDER

09-cv-589-slc

Plaintiff Tally Rowan, a prisoner at the Taycheedah Correctional Center in Fond du Lac, Wisconsin, has submitted a proposed complaint in each of these cases. She has not included with her complaints payment of the \$350 fees for filing these cases. Therefore, I construe plaintiff's complaints to include requests for leave to proceed *in forma pauperis*.

Because plaintiff is a prisoner, she is subject to the 1996 Prison Litigation Reform Act. This means that before this court may decide whether plaintiff can proceed *in forma pauperis*, she will have to make initial partial payments of the filing fees for each action. Plaintiff has not submitted a trust fund account statement from which I can calculate the amount of her initial partial payments. However, she did submit such a statement recently in connection with another lawsuit in this court, *Rowan v. Ordinans*, 09-cv-420-slc, which I have copied for use in these cases. From this statement, I have calculated plaintiff's initial partial payment in each case to be \$15.85. If plaintiff does not have the money to make the initial partial payments in her regular account, she will have to arrange with prison authorities to pay some or all of the assessment from her release account. This does not

mean that plaintiff is free to ask prison authorities to pay *all* of his filing fees from her release account. The only amounts plaintiff must pay at this time are the \$15.85 initial partial payments. Before prison officials take any portion of these amounts from plaintiff's release account, they may first take from plaintiff's regular account whatever amount up to the full amount plaintiff owes. Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send plaintiff's initial partial payments to this court.

ORDER

IT IS ORDERED that

1. Plaintiff is assessed \$15.85 as an initial partial payment of the \$350 fee for filing case no. 09-cv-588-slc. She is to submit a check or money order made payable to the clerk of court in the amount of \$15.85 on or before November 30, 2009.
2. Plaintiff is assessed \$15.85 as an initial partial payment of the \$350 fee for filing case no. 09-cv-589-slc. She is to submit a check or money order made payable to the clerk of court in the amount of \$15.85 on or before November 30, 2009.
3. If, by November 30, 2009, plaintiff fails to make the initial partial payments in either case or show cause for her failure to do so, she will be held to have withdrawn that action voluntarily. In that event, the clerk of court is directed to close the file without prejudice to plaintiff's filing her case at a later date.

Entered this 5th day of November, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge